

PATENT
Docket No. 341/006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR : David TALTON
SERIAL NO. : 08/933,951
FILED : September 19, 1997
REISSUE PATENT NO. : 5,452,352
FOR: : AUTOMATIC DIALING SYSTEM
GROUP ART UNIT : 2742
EXAMINER : J. Saint-Surin

#15/Declaration
22401 A.T.
FAX RECEIVED

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Technology Center 2600

SUPPLEMENTAL DECLARATION
FOR REISSUE PATENT APPLICATION

As the below-named inventor, I hereby declare that my residence, post office address and citizenship is as stated below, next to my name; that I verily believe that I am the original, and first and sole inventor of the subject matter which is claimed in Letters Patent 5,452,352, and for which a **broadening** reissue patent is sought on the invention entitled AUTOMATIC DIALING SYSTEM, the specification of which was originally filed on March 20, 1990, received U.S. Application Serial Number 07/496,038, now abandoned, was continued in U.S. Application Serial Number 07/928,163 filed on August 13, 1992, which issued as U.S. Patent Number 5,452,352 on September 19, 1995.

I verily believe that U.S. Letter Patent No. 5,452,352 through error and without any deceptive intent, is wholly or partly inoperative by reason of our claiming less than we had a right to claim. In particular, I verily believe that I have a right to claims of broader scope than

that which issued in the original patent.

The broadest independent claim in our U.S. Patent No. 5,452,352 is patent claim 17 and the claim fails to provide adequate coverage for our invention since it is unduly limited in comparison to the broader combinations set forth in new claim 21.

Patent claim 17 recites an electronic credit card sized direct dialing device including a case of a size to fit in a user's wallet, a shift register memory for storing data, a clock for imparting a clock signal to the shift register, and a switch for actuating the clock and shift register to shift data out of the shift register. The device further includes a means for sensing a dial tone and request tones from a telephone, a means for actuating an audio signal corresponding to a charge number upon sensing the dial tone from the telephone, and an encoder for converting a signal from the shift register to signals to operate a speaker for emitting touch tone frequencies corresponding to a user's account number.

However, I believe that patent claim 17 incorporating these limitations unduly limits the patent and that the patent is therefore inoperative by reason of us claiming less than I had the right to claim in the patent. The insufficiency in patent claim 17 is as follows.

New claim 21 differs from claim 17 in a number of respects. First, the device has been modified such that it is specifically directed a credit card sized housing insertable into a computer and couplable to a telephone network. In addition, the device no longer requires a specific recitation of the shift register memory, the clock and the switch and other limitations of claim 17. New claims 22-25 depend from claim 21. New claim 26 is a claim which now depends from claim 21 and more specifically defines the "communications device" as a "direct dialing device."

I verily believe that the unwarranted limited scope of our original patent claims is an error that arose without any deceptive intent during prosecution of the original patent.

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant

I verily believe that this reissue application, as amended, overcomes the defect in the original patent by adding broader claims than those included in the original patent.

I acknowledge the duty to disclose information of which I am aware that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby state that I have reviewed and understand the contents of this Supplemental Declaration and the above-identified specification including the claims.

I hereby appoint KENYON & KENYON and William K. Wells (Reg. No. 27,042), John C. Altmiller (Reg. No. 25,951), Robert Hails (Reg. No. 39,702), Brian Mudge (Reg. No. 40,738), Gary Morris (Reg. No. 40,735), and Ronald E. Prass, Jr. (Reg. No. 42,089), as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the U.S. Patent & Trademark Office in connection therewith and to receive all correspondence.

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I hereby declare that all statements made herein on my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.



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Date: 1/4/2001